

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF WYOMING

In re:)	
)	
HARRY VILLE TALERMO,)	Case No. 11-20806
)	Chapter 7
Debtor(s).)	

TRUSTEE'S MOTION FOR TURNOVER

Gary A. Barney, Trustee, duly appointed and acting Chapter 7 Trustee in the above-captioned bankruptcy by and through his attorney Frank B. Watkins of Frank B. Watkins, P.C., submits his Motion for Turnover by the Debtor and represents as follows:

1. That this motion is brought pursuant to 11 U.S.C. §521(a)(4).
2. That this Court has jurisdiction pursuant to 28 U.S.C. §§1334 and 157.
3. That Debtor filed a voluntary petition for Chapter 7 bankruptcy on July 25, 2011.
4. That the Debtor's §341 meeting of creditors was held on September 21, 2011.
5. That Debtor listed Wyoming West Designs in Schedule "B" of his bankruptcy petition as an asset on line 14 and he testified to this asset at his §341 Meeting of Creditors on September 21, 2011. Debtor listed the value of Wyoming West Designs at zero (0).
6. Wyoming West Designs LLC was initially filed with the Wyoming Secretary of State on August 29, 1994.
7. Wyoming West Designs, LLC had one trademark, "Cowboy Up®", and other valuable assets including but not limited to vehicles.

8. On March 17, 2003, Debtor filed corporation documents with the Wyoming Secretary of State incorporating Wyoming West Designs II, Inc., which is currently active and in good standing. Debtor did not list Wyoming West Design II, Inc. in his chapter 7 bankruptcy filing.
9. According to the Wyoming Secretary of State, Wyoming West Designs, LLC became inactive on April 9, 2003.
10. In 2007, at the U.S. Patent and Trademark Office, the trademark, "Cowboy Up®" was reassigned from Wyoming West Design LLC to Wyoming West Designs, II, Inc.
11. In 2008, Debtor filed documents with the U.S. Patent and Trademark Office to register "Cowgirl Up®" under Wyoming West Designs, II, Inc.
12. The Trustee has repeatedly requested information from Debtor's attorney to assist the Trustee in identifying any property for the bankruptcy estate, but he has not yet received any of the following requested information:
 - a.) All royalties received from January 2010 to date for "Cowboy Up" and "Cowgirl Up" and all other slogans and rights held by Wyoming West Designs or by Mr. Talermo.
 - b.) Provide all contracts between Wyoming West Design or Mr. Talermo and any other person or entity concerning "Cowboy Up" and "Cowgirl Up" and all other slogans and rights, held by Wyoming West Designs or Mr. Talermo.
 - c.) All licenses or other rights given to anyone or any entity by Wyoming West Design or Mr. Talermo.
 - d.) Please state the relationship between Wyoming West Design and Anheuser Busch.
 - e.) Please state the relationship between Wyoming West Design and Taylor Brands, LLC.

f.) All Income Statements and Balance sheets for Wyoming West Designs for 2010, 2011 and 2012 and year to date 2013.

13. Additionally, Trustee requests Debtor turnover the above requested information in paragraph 12(a) - (f) for Wyoming West Designs II, Inc.

WHEREFORE, the Trustee would hereby request that this Court order the Debtor to immediately turnover to the Trustee the requested information, and for such other and further relief as is deemed appropriate by the Court under the circumstances.

RESPECTFULLY SUBMITTED this 17th day of April, 2013.

Gary A. Barney, Chapter 7 Trustee

/s/

Frank B. Watkins (5-2595)
FRANK B. WATKINS, P.C.
P.O. Box 1811
Riverton, WY 82501
(307) 856-1500
Attorney for Trustee

CERTIFICATE OF SERVICE

I, Frank B. Watkins, do hereby certify that, on the 17th day of April, 2013, I served the within and foregoing *Trustee's Motion for Turnover* was served upon the following as indicated:

Ken McCartney
Attorney for the Debtor

Electronic Service by ECF

Daniel J. Morse
Office of U.S. Trustee

Electronic Service by ECF

/s/

Frank B. Watkins